

## § 15.710

1987, the following watch requirements apply to the licensed officers and deck crew:

- (i) If over 5000 gross tons—three watches.
- (ii) If not more than 5000 gross tons and having more than 16 individuals on board primarily employed in the preparation of fish or fish products—two watches.
- (iii) If not more than 5000 gross tons and having not more than 16 individuals on board primarily employed in the preparation of fish or fish products—no watch division specified.

### § 15.710 Working hours.

In addition to prescribing watch requirements, 46 U.S.C. 8104 sets limitations on the working hours of licensed individuals and crew members, prescribes certain rest periods, and prohibits unnecessary work on Sundays and certain holidays when the vessel is in a safe harbor. It is the responsibility of the master or person in charge to ensure that these limitations are met. However, under 46 U.S.C. 8104(f), the master or other licensed individual can require any part of the crew to work when, in his or her judgment, they are needed for:

- (a) Maneuvering, shifting berth, mooring, unmooring;
- (b) Performing work necessary for the safety of the vessel, or the vessel's passengers, crew, or cargo;
- (c) Saving of life on board another vessel in jeopardy; or,
- (d) Performing fire, lifeboat, or other drills in port or at sea.

### § 15.715 Automated vessels.

(a) Coast Guard acceptance of automated systems to replace specific personnel or to reduce overall crew requirements is predicated upon the capabilities of the system, the system's demonstrated and continuing reliability, and a planned maintenance program that ensures continued safe operation of the vessel.

(b) The OCMI considers the capabilities of an automated system in establishing initial manning levels; however, until the system is proven reliable, a manning level adequate to operate in a continuously attended mode will be specified on a vessel's COI. It

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remains the responsibility of the vessel's master to determine when a continuous watch is necessary.

### § 15.720 Use of non-U.S. licensed and/or documented personnel.

(a) United States vessels which need to replace one or more persons while on a foreign voyage and outside the jurisdiction of the United States, in order to meet manning requirements, may utilize non-U.S. licensed and documented personnel, except for the positions of master and radio officer, until the vessel returns to a port at which in the most expeditious manner replacements who are citizens of the United States can be obtained.

(b) The citizenship requirements of 46 U.S.C. 8103 (a) and (b) are waived, except for the requirement that the master must be a U.S. citizen, with respect to the following vessels:

(1) A U.S.-documented offshore supply vessel (OSV) (as that term is defined in 46 U.S.C. 2101(19)) that is operating from a foreign port; and

(2) A U.S.-documented mobile offshore drilling unit (MODU) (as that term is defined in 46 U.S.C. 2101(15a)) that is operating beyond the water above the U.S. Outer Continental Shelf.

(c) The waiver provided in paragraph (b) of this section does not apply to any vessel operating in water above the U.S. Outer Continental Shelf (as that term is defined in 43 U.S.C. 1331(a)).

(d) The master shall assure that any replacements of crewmembers by non-U.S. citizens made in accordance with this section will be with an individual who holds a license or document which is equivalent in experience, training, and other qualifications to the U.S. license or document required for the position and that the person possesses or will possess the training required to communicate to the extent required by § 15.730.

[CGD 89-061, 55 FR 1212, Jan. 12, 1990]

### § 15.725 Sailing short.

Whenever a vessel is deprived of the service of a member of its complement, and the master or person in charge is unable to find appropriate licensed or documented personnel to man the vessel, the master or person in charge may